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26 Attorneys for Plaintiff Louisiana Pacific Corporation

27 **UNITED STATES DISTRICT COURT**  
28 **NORTHERN DISTRICT OF CALIFORNIA**

19 **SAN FRANCISCO DIVISION**

20 LOUISIANA PACIFIC CORPORATION, } Case No. C 09 03529 JSW  
21 Plaintiff, } **STIPULATION AND [PROPOSED]**  
22 vs. } **ORDER RESCHEDULING PRETRIAL**  
23 MONEY MARKET 1 INSTITUTIONAL } **MATTERS**  
24 INVESTMENT DEALER, MERRILL LYNCH }  
25 & CO., INC., MERRILL LYNCH, PIERCE, } Ctrm: 11  
26 FENNER & SMITH INCORPORATED, AND } Judge: Hon. Jeffrey S. White  
27 DEUTSCHE BANK SECURITIES INC., }  
28 Defendants, } **DEMAND FOR JURY TRIAL**

1           WHEREAS, on May 20, 2011, Plaintiff filed in this Court its Second Amended  
 2 Complaint in the above-captioned action;

3           WHEREAS, on January 30, 2012, this Court issued an Order Scheduling Trial and  
 4 Pretrial Matters (“Scheduling Order”);

5           WHEREAS, counsel for both Plaintiff and Deutsche Bank Securities Inc. (“DBSI”) have  
 6 been fully engaged in taking or defending multiple depositions throughout the United States in  
 7 another case pending in the Northern District of California and involving DBSI (as well as two  
 8 other defendants), *The Anschutz Corporation v. Merrill Lynch & Co., et al.*, No. CV-09-3780-SI  
 9 (“Anschutz”), and where non-expert discovery is scheduled to close on July 9, 2012, only 4 days  
 10 before the current close of non-expert discovery in this matter;

11          WHEREAS, the non-expert discovery dates in *Anschutz* and this matter close only 4 days  
 12 apart despite the fact that trial in *Anschutz* is scheduled to commence on January 28, 2013,  
 13 whereas trial in this matter is scheduled to commence on June 3, 2013, more than four (4)  
 14 months later than *Anschutz*;

15          WHEREAS, despite Plaintiff’s and DBSI’s diligent efforts, the parties will not be able to  
 16 find mutually agreeable deposition dates for all necessary deponents before the close of non-  
 17 expert discovery set by the Scheduling Order;

18          WHEREAS, none of the proposed dates below will change the current trial date ordered  
 19 by the Court; and

20          WHEREAS, Plaintiff has conferred with DBSI and both parties have agreed to  
 21 reschedule pretrial matters.

22          IT IS THEREFORE STIPULATED AND AGREED, by and between Plaintiff and DBSI,  
 23 acting through their respective counsel, subject to this Court’s approval pursuant to Paragraph D  
 24 of the Scheduling Order, that the schedule set by the Scheduling Order is amended as follows:

	Date in Scheduling Order	Amended Date
Jury Trial Date (12 days)	6/3/2013, at 8:00 a.m.	6/3/2013, at 8:00 a.m.
Pretrial Conference	Monday, 5/13/2013, at 2:00 p.m.	Monday, 5/13/2013, at 2:00 p.m.
Last Day to Hear Dispositive Motions	Friday, 1/11/2013, 9:00 a.m.	Friday, 3/8/2013, 9:00 a.m.
Last Day for Expert Discovery	10/1/2012	12/3/2012

1	Close of Non-expert Discovery	7/13/2012	9/14/2012
2	Further Case Management Conference	9/28/2012, 1:30 p.m.	12/7/2012, 1:30 p.m.
3	Joint Supplemental Case Management Statement due	9/21/2012	11/30/2012

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Dated: June 13, 2012

Respectfully submitted,

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By: /s/ Andrew C. Shen

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Attorneys for Plaintiff Louisiana Pacific Corporation

Dated: June 13, 2012

By: /s/ Elizabeth A. Frohlich

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Deutsche Bank Securities Inc.

PURSUANT TO STIPULATION, AND FOR GOOD CAUSE SHOWN, IT IS SO ORDERED.

Dated: June 13, 2012

  
Hon. Jeffrey S. White  
United States District Judge